

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EFEOSA IDEMUDIA,

Plaintiff,

Case No. 1:08-CV-1124

v.

Hon. Robert J. Jonker

J.P. MORGAN CHASE, et al,

Defendants.

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**ORDER GRANTING DEFENDANT'S MOTION TO  
COMPEL INDEPENDENT MEDICAL EXAMINATION AND  
AMENDING CASE MANAGEMENT ORDER**

Pending before the court is Defendants' Motion to Compel Independent Medical Examination (docket no. 21). For the reasons more fully stated on the record at the hearing held July 10, 2009, the court finds defendants have satisfied the Fed. R. Civ. P. 35 requirements of "controversy" and "good cause" sufficient to justify their request for examination of the plaintiff. *See, Schlagenhauf v. Holder*, 379 U.S. 104, 118-19 (1964). Although plaintiff's counsel has acknowledged that his client does not suffer from clinical depression or anxiety, plaintiff has alleged a variety of open-ended mental ailments which he maintains he has suffered for two years and continues to suffer. Both he and his wife are prepared to testify as to the nature and severity of plaintiff's ailments. Accordingly, the motion is **GRANTED**.

Further, the Case Management Order is amended as follows:

1. Plaintiff shall disclose expert reports not later than **July 15, 2009**. Defendants shall disclose expert reports not later than **August 15, 2009**.

2. Discovery shall be completed not later than **September 15, 2009**.

3. Dispositive motions shall be filed not later than **October 1, 2009**.

In all other respects, the Case Management Order remains unchanged.

**IT IS SO ORDERED.**

Dated: July 13, 2009

/s/ Hugh W. Brenneman, Jr.  
HUGH W. BRENNEMAN, JR.  
United States Magistrate Judge